

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 IMHOTEP SALAT,

5 Plaintiff,

6 v.

7 DIRECTOR BRUCE BRESLOW, *et al.*,

8 Defendants.
9

Case No. 2:16-cv-02670-APG-GWF

**ORDER ON REPORT AND
RECOMMENDATION**

(ECF. No. 10)

10 On February 8, 2018, Magistrate Judge Foley entered a report and recommendation that I
11 deny the application for leave to proceed in forma pauperis and dismiss this case because plaintiff
12 Imhotep Salat can afford to pay the filing fee and has made inconsistent statements about his
13 income in other cases in this District. ECF No. 3. Salat did not file an objection. Thus, I am not
14 obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1)
15 (requiring district courts to “make a de novo determination of those portions of the report or
16 specified proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d
17 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s
18 findings and recommendations de novo *if objection is made*, but not otherwise” (emphasis in
19 original)).

20 IT IS THEREFORE ORDERED that Judge Foley’s report and recommendation (**ECF No.**
21 **3) is accepted.** Plaintiff Imhotep Salat’s application to proceed in forma pauperis (**ECF No. 1) is**
22 **DENIED** and the complaint is DISMISSED without prejudice. The clerk of court is instructed to
23 close this case.

24 DATED this 6th day of March, 2018.

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26 
27 ANDREW P. GORDON
28 UNITED STATES DISTRICT JUDGE